From:	Daniel Cohen
To:	Jeffrey J. Patrick; Heather Whitham
Cc:	Thomas Watson; Marc Schneider; Jesse Silva; Michael Balcorta; Eligio Lara
Subject:	RE: CPCA Response to DOJ Bulletin on ALPR Data Sharing
Date:	Tuesday, December 5, 2023 2:21:12 PM

Thank you Jeffrey.

Dan Cohen, Division Commander
Santa Maria Police Department
(805) 928-3781 X-1234

From: Jeffrey J. Patrick <jpatrick@cityofsantamaria.org>
Sent: Friday, December 1, 2023 9:57 AM
To: Daniel Cohen <dcohen@cityofsantamaria.org>; Heather Whitham <hwhitham@cityofsantamaria.org>
Cc: Thomas Watson <twatson@cityofsantamaria.org>; Marc Schneider <mschneider@cityofsantamaria.org>; Jesse Silva <jsilva@cityofsantamaria.org>; Michael Balcorta <mbalcorta@cityofsantamaria.org>; Eligio Lara <elara@cityofsantamaria.org>
Subject: RE: CPCA Response to DOJ Bulletin on ALPR Data Sharing

Hi Dan,

The Attorney General recently issued guidance that California law prohibits California police agencies from sharing ALPR data with law enforcement agencies outside of our state or federal agencies.

My advice would be that we follow the Attorney General's guidance and deny outside requests for the time being.

The letter from Jones Mayer does make some good arguments that the guidance interprets the law too narrowly and it is possible the guidance may be reconsidered in the future or the law may be challenged.

The letter does agree with the guidance that we are not allowed to share data with federal law enforcement agencies so as to your specific question below we would not share that information under either the current guidance or the interpretation urged by Jones Mayer.

Jeffrey J. Patrick
Assistant City Attorney
204 E. Cook St., Santa Maria, CA 93454
(805) 925-0951 ext. 2310
(805) 928-1275 fax
jpatrick@cityofsantamaria.org

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From: Daniel Cohen <dcohen@cityofsantamaria.org>
Sent: Tuesday, November 28, 2023 12:43 PM
To: Jeffrey J. Patrick <jpatrick@cityofsantamaria.org>; Heather Whitham <hwhitham@cityofsantamaria.org>
Cc: Thomas Watson <twatson@cityofsantamaria.org>; Marc Schneider

<mschneider@cityofsantamaria.org>; Jesse Silva <jsilva@cityofsantamaria.org>; Michael Balcorta <mbalcorta@cityofsantamaria.org>; Eligio Lara <elara@cityofsantamaria.org>
Subject: FW: CPCA Response to DOJ Bulletin on ALPR Data Sharing

Jeffrey / Heather –

I'm not sure who this inquiry should be sent to, regarding sharing ALPR data with out of state agencies. It doesn't happen often, but we do receive requests periodically, sometimes from the FBI. A notable FBI request involved an out of state kidnapping case. Please see attached documents.

When we receive requests from out of state agencies, or the FBI, for ALPR data, how should we respond?

Thank you,

Dan

Dan Cohen, Division Commander
Santa Maria Police Department
(805) 928-3781 X-1234

From: Daniel Cohen
Sent: Monday, November 27, 2023 5:09 PM
To: Monica Davis <mldavis@cityofsantamaria.org>
Cc: Jesse Silva <jsilva@cityofsantamaria.org>; Marc Schneider <mschneider@cityofsantamaria.org>; Michael Balcorta <mbalcorta@cityofsantamaria.org>; Stephen Best <sbest@cityofsantamaria.org>; Tiffany Alvarez <talvarez@cityofsantamaria.org>; Eligio Lara <elara@cityofsantamaria.org>
Subject: FW: CPCA Response to DOJ Bulletin on ALPR Data Sharing

Attached is new information bulletin regarding sharing ALPR data. It is relevant to PRA requests. Worth the read if you are tasked with sharing ALPR information.

Dan

Dan Cohen, Division Commander
Santa Maria Police Department
(805) 928-3781 X-1234

From: Marc Schneider <mschneider@cityofsantamaria.org>
Sent: Monday, November 27, 2023 2:52 PM
To: Daniel Cohen <dcohen@cityofsantamaria.org>
Subject: FW: CPCA Response to DOJ Bulletin on ALPR Data Sharing

FYI

Marc

From: California Police Chiefs Association <lmcgill@californiapolicechiefs.org>
Sent: Monday, November 27, 2023 12:42 PM

To: Marc Schneider <mschneider@cityofsantamaria.org>
Subject: CPCA Response to DOJ Bulletin on ALPR Data Sharing

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Serving as the voice and resource of choice for California's law enforcement leaders.

CPCA Response to AG ALPR Data Sharing Bulletin

11/27/23

Our legal counsel, **Jim Touchstone** with Jones & Mayer, sent a letter, **attached here,** to Attorney General Rob Bonta and Chief John Marsh with the Division of Law Enforcement last week on behalf of Cal Chiefs, State Sheriffs and CPOA in response to **DOJ's Information Bulletin on Automated License Plate Reader Data.** DOJ's bulletin spelled out state law governing the use of ALPR data as per SB 34. However, legal counsel for the three associations disagrees with the section of the guidance to the extent it suggests that ALPR data cannot be shared with out-of-state law enforcement agencies for legitimate law enforcement purposes and requests that DOJ to re-visit their position on this critical issue. We believe that the proper sharing of such information under these conditions is consistent with the language of the statute, the legislative intent, and sound public policy designed to assist in the apprehension and prosecution of child abductors, narcotics traffickers, extremist hate groups, and other cross-state criminal enterprises.

This is a major issue and we wanted you to be aware that we have been and will continue to work on it.

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Added through California Police Chiefs Association web site

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